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The New Effort to Control Information

By Floyd Abrams

On Aug. 25, the Reagan administration publicly released a contract that has no precedent in our nation's history. To be signed by all government officials with access to high-level classified information, it will require these officials, for the rest of their lives, to submit for governmental review newspaper articles or books they write for the general reading public.



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The contract will affect thousands of senior officials in the departments of State and Defense, members of the National Security Council staff, senior White House officials and senior military and Foreign Service officers. Its purpose is to prevent unauthorized disclosure of classified information, but its effects are likely to go far beyond that. It will give those in power a new and powerful weapon to delay or even suppress criticism by those most knowledgeable to voice it. The new requirement, warns the American Society of Newspaper Editors, is "peacetime censorship of a scope unparalleled in this country since the adoption of the Bill of Rights in 1791."

The subject of hearings earlier this month of a subcommittee of the Senate Governmental Affairs Committee, this latest attempt at information control by the Reagan administration is part of a far more sweeping policy. It is one unique in recent history—clear, coherent and, unlike that of some recent administrations, not a bit schizophrenic. More important, it seems at odds with the concept that widespread dissemination of information from diverse sources furthers the public interest. In fact, it appears to be hostile to the basic tenet of the First Amendment that a democracy requires an informed citizenry to argue and shape policy.

In the two and a half years it has been in power, the Reagan administration has:

- Consistently sought to limit the scope of the Freedom of Information Act.
 - Barred the entry into the country of foreign speakers, including Hortensia Allende, widow of Chilean President Salvador Allende, because of concern about what they might say.
 - Inhibited the flow of films into and even out of our borders; neither Canada's Academy Award-winning "If You Love This Planet" nor the acclaimed ABC documentary about toxic waste, "The Killing Ground," escaped administration disapproval.
 - Rewritten the classification system to assure that *more* rather than less information will be classified.
 - Subjected governmental officials to an unprecedented system of lifetime censorship.
 - Flooded universities with a torrent of threats relating to their right to publish and discuss unclassified information—usually of a scientific or technological nature—on campus.
- So far, these efforts to control information have been noticed by those most directly affected, but by few others. The administration's policies, says the American Civil Liberties Union, have been "quiet, almost stealthy, difficult to see and therefore hard to resist." There is also the feeling among many Americans that the actions of this administration are less-than-threatening since they are fueled by the deeply felt conservative ideology of Ronald Reagan and not from the anger or meanness of spirit that, many feel, characterized the Nixon presidency. Furthermore, wrote The New York Times' columnist Anthony Lewis, these actions "have had little attention from the press,

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